

ORIGINAL

FILED
DISTRICT COURT OF GUAM

JAN 26 2006 *JP*

MARY L.M. MORAN
CLERK OF COURT

ESGUERRA_L.rem

LEONARDO M. RAPADAS
United States Attorney
MARIVIC P. DAVID
Assistant U.S. Attorney
Sirena Plaza, Suite 500
108 Hernan Cortez Avenue
Hagåtña, Guam 96910-5059
TEL: (671) 472-7332
FAX: (671) 472-7215

Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 01-00113
)	
Plaintiff,)	
)	
vs.)	PETITION TO REMIT SPECIAL
)	ASSESSMENT FEE
LORENZO SANTOS ESGUERRA,)	[18 U.S.C. § 3573]
)	
Defendant.)	

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting the unpaid special assessment fee earlier imposed upon Defendant LORENZO SANTOS ESGUERRA and in support hereof, states as follows:

1. On July 8, 2002, sentence was imposed by this Court against Defendant LORENZO SANTOS ESGUERRA. Among other things, a \$100.00 special assessment fee was ordered. The total amount now owed by said Defendant is \$100.00.

2. Upon information received from the Immigration and Customs Enforcement Deportable Alien Control System (ICE/DACS), the defendant, LORENZO SANTOS ESGUERRA, was deported to the Philippines on August 27, 2003. See Exhibit "A."

//

//

1 3. Section 3573 of Title 18, United States Code, as amended, provides in pertinent
2 part as follows:

3 Upon petition by the Government showing that reasonable efforts to
4 collect a fine or assessment are not likely to be effective, the court may, in the
5 interest of justice --

6 (1) remit all or part of the unpaid portion of the fine or special assessment,
7 including interest and penalties

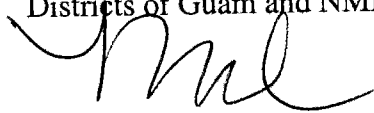
8 4. The United States Attorney has determined that in light of Defendant's
9 deportation, there is no reasonable likelihood that expending further efforts to collect the special
10 assessment fee will produce any revenue to the United States. To the contrary, any further efforts
11 will needlessly expend resources that could be better directed to areas with greater potential for
12 recovery.

13 5. The interests of justice mitigate in favor of remission of the unpaid special
14 assessment fee.

15 WHEREFORE, the United States of America respectfully requests that this Court
16 enter an order remitting the unpaid special assessment fee imposed upon Defendant
17 LORENZO SANTOS ESGUERRA..

18 DATED this 25th day of January, 2006.

19 LEONARDO M. RAPADAS
20 United States Attorney
21 Districts of Guam and NMI

22 

23 By: _____

24 MARIVIC P. DAVID
25 Assistant U.S. Attorney
26
27
28

A-NUM : 037545351

LAST-NAME : ESGUERRA JR

NATLTY: PHILI

FIRST-NAME: LORENZO SANTOS

DATE-DOCKET-CLEARED: 09/04/2003

DEPART-CLEARED-STAT: 6

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 08/27/2003

PORT-DEPARTED: HHW

DEPART-COUNTRY: PHILI

FINAL-CHARGE: R2A3

EXPENSE-CODE: 1

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

